

1 WILLIAM A. ISAACSON (*Pro hac vice*)  
(wisaacson@bsfllp.com)  
2 STACEY K. GRIGSBY (*Pro hac vice*)  
(sgrigsby@bsfllp.com)  
3 NICHOLAS A. WIDNELL (*Pro hac vice*)  
(nwidnell@bsfllp.com)  
4 BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, NW, Washington, DC 20005  
5 Telephone: (202) 237-2727; Fax: (202) 237-6131

6 RICHARD J. POCKER #3568  
(rpocker@bsfllp.com)  
7 BOIES SCHILLER FLEXNER LLP  
8 300 South Fourth Street, Suite 800, Las Vegas, NV 89101  
9 Telephone: (702) 382-7300; Fax: (702) 382-2755

10 DONALD J. CAMPBELL #1216  
(djc@campbellandwilliams.com)  
11 J. COLBY WILLIAMS #5549  
(jcw@campbellandwilliams.com)  
12 CAMPBELL & WILLIAMS  
13 700 South 7th Street, Las Vegas, NV 89101  
Telephone: (702) 382-5222; Fax: (702) 382-0540

14 *Attorneys for Defendant Zuffa, LLC, d/b/a*  
15 *Ultimate Fighting Championship and UFC*

16 [Additional Counsel Listed on Signature Page]

17  
18 UNITED STATES DISTRICT COURT

19 DISTRICT OF NEVADA

20 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
21 Vera, Luis Javier Vazquez, and Kyle  
Kingsbury on behalf of themselves and all  
22 others similarly situated,

23 Plaintiffs,

24 v.

25 Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,

26 Defendant.  
27  
28

Case No.: 2:15-cv-01045-RFB-BNW

**JOINT MOTION TO  
CONDITIONALLY FILE UNDER  
SEAL EXHIBITS TO  
PLAINTIFFS' RESPONSIVE  
BRIEFING RELATED TO  
ZUFFA'S AND NON-PARTIES'  
OBJECTIONS REGARDING  
EXHIBIT LIST DOCUMENTS**

On June 28, 2019, Plaintiffs filed their Motion for Leave to Lodge Materials Under Seal, ECF No. 678, lodging under seal documents related to four motions concurrently filed by Plaintiffs: (1) Plaintiffs' Response to Defendant Zuffa, LLC's Objections to Plaintiffs' Exhibit List Documents, ECF No. 674 ("Plaintiffs' Objections Response"); (2) Plaintiffs' Opposition to Defendant Zuffa, LLC's Motion to Seal Exhibits and Protected Materials at the Evidentiary Hearing on Class Certification, ECF No. 675 ("Plaintiffs' Motion to Seal Opposition"); (3) Plaintiffs' Opposition to Non-Parties WME/IMG, LLC and the Raine Group LLC's Objections to Potential Use of Confidential Information at Evidentiary Hearing, ECF No. 676 ("Plaintiffs' Opposition to WME and Raine"); and (4) Plaintiffs' Opposition to Non-Parties Bellator Sport Worldwide LLC, Golden Boy Promotions, Inc., Golden Boy Promotions, LLC and Top Rank, Inc.'s Objections to Potential Use of Confidential Information at Evidentiary Hearing, ECF No. 677 ("Plaintiffs' Opposition to Non-Party Promoters"). Plaintiffs and Zuffa (jointly, the "Parties") now submit this Joint Motion to reduce the burden on the Court and avoid unnecessary briefing and motion practice.

The briefs and the exhibits to these four motions included 26 documents that were filed under seal or redacted (the "Disputed Materials"), including several exhibits to Plaintiffs' Opposition to Zuffa's Motion to Seal Exhibits and Protected Materials at the Evidentiary Hearing on Class Certification, which addresses whether or not many of these materials should be sealed. The Disputed Materials fall into three categories: (1) materials produced by Zuffa attached to Plaintiffs' Objections Response and Plaintiffs' Motion to Seal Opposition (the "Zuffa Materials"); (2) materials produced by non-parties attached to Plaintiffs' Oppositions to WME and Raine and to Non-Party Promoters that Zuffa asserts contain its confidential information (the "Non-Party Materials with Zuffa's alleged confidential information"); and (3) materials produced by non-parties attached to Plaintiffs' Oppositions to WME and Raine and to Non-Party Promoters containing only non-party information (the "Non-Party Materials").

The Parties disagree as to whether the Zuffa Materials and Non-Party Materials with Zuffa's alleged confidential information should remain under seal. However, the briefing they

1 have already filed and the briefing they intend to file regarding sealing issues pursuant to the  
2 Court-ordered briefing schedule, ECF No. 670, directly address this dispute. Zuffa and Plaintiffs  
3 have stated each of their positions at length in their respective briefing regarding the treatment of  
4 confidential and protected material at the evidentiary hearing, ECF Nos. 631, 632, 639, 645, 665,  
5 and in other briefing on motions to seal. The Parties expect that the Court's decision on how to  
6 treat exhibits and protected materials at the evidentiary hearing will resolve the disagreement  
7 regarding whether the Zuffa Materials should remain under seal.

8 The Parties do not seek to re-litigate this issue for the purposes of these filings. Therefore,  
9 solely for the limited reason that the Zuffa Materials and the Non-Party Materials with Zuffa's  
10 alleged confidential information, as they currently stand, are still designated Confidential,  
11 Plaintiffs do not oppose Zuffa's request in this joint motion that the Zuffa Materials and Non-  
12 Party Materials with Zuffa's alleged confidential information remain under seal, in accordance  
13 with the Protective Order, until the Court has ruled on Zuffa's Motion to Seal Exhibits and  
14 Protected Materials at the Evidentiary Hearing on Class Certification ("Motion to Seal"), ECF  
15 No. 665, and determined what protected material is properly sealed during the evidentiary  
16 hearing. Plaintiffs continue to reserve their right to challenge Zuffa's and relevant non-parties'  
17 confidentiality designations pursuant to Section 6.1 of the Protective Order, ECF No. 217.

18 Though Zuffa seeks to maintain under seal the exhibits to Plaintiffs' Objections Response  
19 and Motion to Seal Opposition, it does not seek to seal all of the material Plaintiffs' initially  
20 redacted in their briefs when they filed them on the docket on June 14, 2019. Zuffa therefore  
21 submits lesser-redacted versions of both briefs as Exhibits A and B to the Declaration of Stacey  
22 K. Grigsby in Support of this Motion.

23 As to the remainder of the Non-Party Materials, Plaintiffs oppose the sealing of these  
24 Non-Party Materials. Zuffa takes no position as to whether these Non-Party Materials containing  
25 exclusively non-party information are properly sealed but, pursuant to the Protective Order, ECF  
26 No. 217, Zuffa will continue to seek to seal these materials as required by the Protective Order  
27 until such time as the non-parties or the Court orders they should be made public.  
28

1           Having met and conferred on this issue, the Parties jointly move to file the Zuffa Materials  
2           and the Non-Party Materials conditionally under seal, pending the Court's ruling on Zuffa's  
3           Motion to Seal, ECF No. 665 and on the Non-Parties' objections to the public disclosure of their  
4           documents, ECF No. 661. Should the Court determine that any of the materials under seal should  
5           not be sealed, the relevant Party will re-file any such materials on the public docket at that time.

Dated: July 2, 2019

**JOSEPH SAVERI LAW FIRM, INC.**

By: /s/ Kevin E. Rayhill

Joseph R. Saveri (State Bar No. 130064)  
 Joshua P. Davis (admitted *pro hac vice*)  
 Kevin E. Rayhill (admitted *pro hac vice*)  
 Jiamin Chen (admitted *pro hac vice*)  
 601 California Street, Suite 1000  
 San Francisco, California 94108  
 Phone: (415) 500-6800/Fax: (415) 395-9940  
 jsaveri@saverilawfirm.com  
 jdavis@saverilawfirm.com  
 krayhill@saverilawfirm.com  
 jchen@saverilawfirm.com

*Co-Lead Counsel for the Classes and  
 Attorneys for Individual and Representative  
 Plaintiffs Cung Le, Nathan Quarry, Jon  
 Fitch, Luis Javier Vazquez, Brandon Vera,  
 and Kyle Kingsbury*

**BERGER MONTAGUE PC**

Eric L. Cramer (admitted *pro hac vice*)  
 Michael Dell'Angelo (admitted *pro hac vice*)  
 Patrick F. Madden (admitted *pro hac vice*)  
 Mark R. Suter (admitted *pro hac vice*)  
 1818 Market Street, Suite 3600  
 Philadelphia, Pennsylvania 19103  
 Phone: (215) 875-3000/Fax: (215) 875-4604  
 ecramer@bm.net  
 mdellangelo@bm.net  
 pmadden@bm.net  
 msuter@bm.net

*Co-Lead Counsel for the Classes and  
 Attorneys for Individual and Representative  
 Plaintiffs Cung Le, Nathan Quarry, Jon  
 Fitch, Luis Javier Vazquez, Brandon Vera,  
 and Kyle Kingsbury*

Dated: July 2, 2019

**BOIES SCHILLER FLEXNER LLP**

By: /s/ Stacey K. Grigsby

William A. Isaacson (admitted *pro hac vice*)  
 Stacey K. Grigsby (admitted *pro hac vice*)  
 Nicholas A. Widnell (admitted *pro hac vice*)  
 1401 New York Ave, NW  
 Washington, D.C. 20005  
 Phone: (202) 237-2727/Fax: (202) 237-6131  
 wisaacson@bsflp.com  
 sgrigsby@bsflp.com  
 nwidnell@bsflp.com

*Attorneys for Defendant Zuffa, LLC, d/b/a  
 Ultimate Fighting Championship and UFC*

**CAMPBELL & WILLIAMS**

Donald J. Campbell (State Bar No. 1216)  
 J. Colby Williams (State Bar No. 5549)  
 700 South 7th Street  
 Las Vegas, Nevada 89101  
 Phone: (702) 382-5222/Fax: (702) 382-0540  
 djc@campbellandwilliams.com  
 jcw@campbellandwilliams.com

*Attorneys for Defendant Zuffa, LLC, d/b/a  
 Ultimate Fighting Championship and UFC*

**BOIES SCHILLER FLEXNER LLP**

Richard J. Pocker (State Bar No. 3568)  
 300 South Fourth Street, Suite 800  
 Las Vegas, Nevada 89101  
 Phone: (702) 382-7300/Fax: (702) 382-2755  
 rpocker@bsflp.com

*Attorneys for Defendant Zuffa, LLC, d/b/a  
 Ultimate Fighting Championship and UFC*

**COHEN MILSTEIN SELLERS  
& TOLL, PLLC**

Benjamin D. Brown (admitted *pro hac vice*)  
Richard A. Koffman (admitted *pro hac vice*)  
Daniel H. Silverman (admitted *pro hac vice*)  
1100 New York Ave., N.W.,  
Suite 500, East Tower  
Washington, D.C. 20005  
Phone: (202) 408-4600/Fax: (202) 408 4699  
bbrown@cohenmilstein.com  
rkoffman@cohenmilstein.com  
dsilverman@cohenmilstein.com

*Co-Lead Counsel for the Classes and  
Attorneys for Individual and Representative  
Plaintiffs Cung Le, Nathan Quarry, Jon Fitch,  
Luis Javier Vazquez, Brandon Vera, and Kyle  
Kingsbury*

**RADICE LAW FIRM, P.C.**

John D. Radice (admitted *pro hac vice*)  
34 Sunset Blvd  
Long Beach, NJ 08008  
jradice@radicelawfirm.com

*Attorneys for Plaintiffs*

**WOLF, RIFKIN, SHAPIRO,  
SCHULMAN & RABKIN, LLP**

Don Springmeyer  
Nevada Bar No. 1021  
Bradley S. Schrager  
Nevada Bar No. 10217  
3556 E. Russell Road, Second Floor  
Las Vegas, Nevada 89120  
(702) 341-5200/Fax: (702) 341-5300  
dspringmeyer@wrslawyers.com  
bschrager@wrslawyers.com

*Liaison Counsel for the Classes and Attorneys  
for Individual and Representative Plaintiffs  
Cung Le, Nathan Quarry, Jon Fitch, Luis  
Javier Vazquez, Brandon Vera, and Kyle  
Kingsbury*

**WARNER ANGLE HALLAM JACKSON  
& FORMANEK PLC**

Robert C. Maysey (admitted *pro hac vice*)  
Jerome K. Elwell (admitted *pro hac vice*)  
2555 E. Camelback Road, Suite 800  
Phoenix, Arizona 85016  
Phone: (602) 264-7101/Fax: (602) 234-0419  
rmaysey@warnerangle.com  
jelwell@warnerangle.com

*Counsel for the Classes and Attorneys for  
Individual and Representative Plaintiffs Cung  
Le, Nathan Quarry, Jon Fitch, Luis Javier  
Vazquez, Brandon Vera, and Kyle Kingsbury*

**LAW OFFICE OF FREDERICK S.  
SCHWARTZ**

Frederick S. Schwartz (admitted *pro hac vice*)  
15303 Ventura Boulevard, #1040  
Sherman Oaks, California 91403  
Phone: (818) 986-2407/Fax: (818) 995-4124  
fred@fredschwartzlaw.com

*Attorneys for Plaintiffs*

**SPECTOR ROSEMAN & KODROFF,  
P.C.**

William G. Caldes (admitted *pro hac vice*)  
2001 Market Street, Suite 3420  
Philadelphia, Pennsylvania 19103  
Phone: (215) 496-0300/Fax: (215) 496-6611  
wcaldes@srkw-law.com

*Attorneys for Plaintiffs*

**ATTESTATION OF FILER**

The signatories to this document are myself and Kevin Rayhill, and I have obtained Mr. Rayhill's concurrence to file this document on his behalf.

Dated: July 2, 2019

/s/ Stacey K. Grigsby



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing Joint Motion to Conditionally Seal Exhibits to Plaintiffs' Responsive Briefing Related to Zuffa's and Non-Parties' Objections Regarding Exhibit List Documents was served on July 2, 2019 via the Court's CM/ECF electronic filing system addressed to all parties on the e-service list.

/s/ Brent K. Nakamura  
Brent K. Nakamura